

# UPPER HUNTER COUNTY COUNCIL



## PESTICIDES NOTIFICATION PLAN

Prepared in accordance requirements of the Pesticides  
Regulation 2009.

August 2015

## Upper Hunter County Council – Pesticides Notification Plan

### 1. INTRODUCTION

This Notification Plan has been prepared in accordance with the requirements of the Pesticides Regulation 2009 (here after referred as the Regulation).

The aim of this Plan is to meet the community's general right to know about pesticides applications made to public places. The Plan allows members of the community to take action to avoid contact with pesticides, if they wish. It does not mean that the community is at any greater risk or harm from pesticides. Council ensures that pesticides are applied to public places in a safe, responsible manner, without harm to the community or the environment.

The Plan sets out how Council will notify members of the community of any pesticide applications made by Council to public places. It describes:

- what public places are covered by the Plan;
- who is most likely to use or access these public places and an estimate of the level of use;
- how and when Council will provide the community with information about its pesticide applications (i.e. what notification arrangements will be used);
- how the community will be informed of the notification arrangements contained in the Plan;
- how future reviews of the Plan will be conducted; and
- contact details for anyone wishing to discuss pesticide notification with Council.

### 2. AREA OF OPERATION OF THE PLAN

The Upper Hunter County Council area of operation is the local government areas of the Muswellbrook, Singleton and Upper Hunter Shire Council. In these areas the County Council is responsible for the control of noxious plants on lands under the control of its Constituent Councils.

### 3. PUBLIC PLACES COVERED BY THIS NOTIFICATION PLAN

Under the *Regulation*, it is mandatory for Council to include in the notification plan advice on how it will provide notice of pesticides applications made to the following public places:

- Public Gardens
- Parks
- Playgrounds
- Sporting Fields
- Ovals
- Road Verges and Reserves
- Laneways and Pathways
- Drains

This Council has no Council Buildings i.e. Council chambers, libraries, community halls/centres and childcare facilities under its control.

**4. WHO USES THESE PUBLIC PLACES**

**a) Public Parks and Gardens**

Council estimates that the level of usage and community access to public parks and gardens is high. The main groups of the community that use or have access to these public places are:

- children and young families;
- elderly people; and
- general recreational users (eg. joggers, dog-walkers, picnickers).

**b) Playgrounds**

Council estimates that the level of usage and community access to public playgrounds is high. The main groups of the community that use or have access to these public places are:

- children and young families.

**c) Sporting Fields and Ovals Public Parks and Gardens**

Council estimates that the level of usage and community access to public sporting fields and ovals is high. The main groups of the community that use or have access to these public places are:

- sporting clubs and associations
- school sports groups
- general recreational users (eg. joggers, dog-walkers).

**d) Council Laneways and Pathways**

Council estimates that the level of usage and community access to laneways and pathways that are owned or maintained by Council is medium to high. The main groups in the community that use or have access to these public places are:

- local residents;
- people who work in the area; and
- visitors to the area.

**e) Council Drains**

Council estimates that the level of usage and community access to drains that are owned or maintained by Council is low to medium. The main groups in the community that use or have access to these public places are:

- local residents living adjacent to a drain;
- local residents or visitors who walk or drive past a drain.

**f) Road Shoulders, Verges and Reserves**

Rural Roads - Council estimates that the level of usage and community access to road shoulders, verges and reserves on rural roads that are owned or maintained by Council is low. The main groups in the community that use or have access to these public places are:

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- local residents or visitors walking or driving on the road

Urban Roads -Council estimates that the level of usage and community access to road shoulders, verges and reserves on urban roads that are owned or maintained by Council is medium to high. The main groups in the community that use or have access to these public places are:

- local residents or visitors walking or driving on the road

### **g) Interiors of Council buildings**

Council estimates that the level of usage and community access to these Council buildings (including Council chambers, Council owned libraries, community halls and centres, childcare facilities) is high. The main groups in the community that use or have access to these public places are:

- library users (including young children, school groups and the elderly);
- young children and their carers (childcare facilities);
- mothers groups/playgroups;
- community associations;
- church groups; and
- general members of the public.

## **5. HOW NOTIFICATION WILL OCCUR**

### **a) Public Parks and Gardens**

The Upper Hunter County Council would only apply a pesticide in these areas at the request of a Constituent Council. In such cases Council will follow the Constituent Council's notification plan.

### **b) Playgrounds**

The Upper Hunter County Council would only apply a pesticide in these areas at the request of a Constituent Council. In such cases Council will follow the Constituent Council's notification plan.

### **c) Sporting Fields and Ovals**

The Upper Hunter County Council would only apply a pesticide in these areas at the request of a Constituent Council. In such cases Council will follow the Constituent Council's notification plan.

### **d) Council Laneways and Pathways**

Where the application of a pesticide to laneway or pathway is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice by:

- letterbox drop to all residents in the immediate vicinity of the application area (i.e. houses located next to or opposite the laneway or pathway to which the pesticide is applied);

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- responding to all reasonable requests for information made directly to the operator applying the pesticide or to Council itself.

These notification arrangements are based on Council's assessment that:

- Level of usage for public Council laneways and pathways is medium to high.
- Walking or driving on laneways or pathways while a pesticide application is taking place could result in some direct contact with pesticides.
- There is some risk of contact with pesticides from the application methods used by Council on laneways and pathways (generally spot spraying using a hand-held applicator).

### e) Council Drains

Where the application of a pesticide to a Council drain is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice by:

- letterbox drop to all residents in the immediate vicinity of the application area (i.e. houses located next to or opposite the Council Drain to which the pesticide is applied);
- responding to all reasonable requests for information made directly to the operator applying the pesticide or to Council itself.
- These notification arrangements are based on Council's assessment that:
  - Level of usage for public Council drains is medium to high.
  - Walking or driving near a Council drain while a pesticide application is taking place could result in some direct contact with pesticides.
  - There is some risk of contact with pesticides from the application methods used by Council on drains (generally spot spraying using a hand-held applicator).

### f) Road Shoulders, Verges and Reserves

Rural Roads - Where the application of a pesticide to road shoulders, verges and reserves is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice:

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- **Annually**, via the inclusion in Council's Delivery Plan notice of Council's intention to use pesticides to control noxious plants found the shoulders, verges and reserves of rural road. The advertisement and notice advising of Council's Delivery Plan will also include reference to the public display of Council's Pesticides Notification Plan.

These notification arrangements are based on Council's assessment that:

- Level of usage of road shoulders, verges and reserves on rural roads that are owned or maintained by Council low.
- Council use of pesticide is usually limited to small isolated infestations of noxious plants
- Walking or driving on a road where a pesticide application is taking place could result in some direct contact with pesticides.
- There is some risk of contact with pesticides from the application methods used by Council on shoulders, verges and reserves on rural roads (generally spot spraying using a hand-held applicator).

Urban Roads - Where the application of a pesticide to road shoulders, verges and reserves is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice if by:

- letterbox dropping all residents in the immediate vicinity of the application area (i.e. houses located next to or opposite the road on which the pesticide is applied);
- responding to all reasonable requests for information made directly to Council.

These notification arrangements are based on Council's assessment that:

- Level of usage of road shoulders, verges and reserves on urban roads that are owned or maintained by Council medium to high.
- Walking or driving on a road where a pesticide application is taking place could result in some direct contact with pesticides.
- There is some risk of contact with pesticides from the application methods used by Council on shoulders, verges and reserves on urban roads (generally spot spraying using a hand-held applicator).

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### **g) Interiors of Council Buildings (Council Chambers, Public Libraries and Community Halls/Centres)**

As these areas are under the control of Constituent Councils, the notification of the application of pesticides to these areas will be contained in the Constituent Council's notification plans.

## **7. WHEN NOTIFICATION WILL OCCUR**

### **a) Public Parks and Gardens**

Where the application of a pesticide to laneway or pathway is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice:

- **1 week prior** to the pesticides application via the placement of signage at the public parks and gardens entry points

### **b) Playgrounds**

This Council would only apply a pesticide in these areas at the request of a Constituent Council. In such cases Council would follow the Constituent Council's notification plan.

### **c) Sporting fields and Ovals**

Where the application of a pesticide to laneway or pathway is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice:

- **1 week prior** to the pesticides application via the placement of signage at the sporting fields and ovals entry points

### **d) Council Laneways and Pathways**

Where the application of a pesticide to laneway or pathway is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice:

- **1 week prior** to the pesticides application via a letterbox drop to affected residents.

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### e) Council Drains

Where the application of a pesticide to drains is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice:

- **1 week prior** to the pesticides application via a letterbox drop to affected residents.

### f) Road Shoulders, Verges and Reserves

#### Rural Roads

Where the application of a pesticide to rural road is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice:

- **Annually**, via the inclusion in Council's Draft Management Plan notice of Council's intention to use pesticides to control noxious plants found the shoulders, verges and reserves of rural roads. The advertisement and notice advising of Council's Draft Management Plan will also include reference to the public display of Council's Pesticides Notification Plan.

#### Urban Roads

Where the application of a pesticide to urban road is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice:

- **Annually**, via the inclusion in Council's Draft Management Plan notice of Council's intention to use pesticides to control noxious plants found the shoulders, verges and reserves of urban roads. The advertisement and notice advising of Council's Draft Management Plan will also include reference to the public display of Council's Pesticides Notification Plan; and
- **1 week prior** to the application, via a letterbox drop to all residents in the immediate vicinity of the application area (i.e. houses located next to or opposite the road on which the pesticide is applied).

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### **g. Interiors of Council Buildings (Council Chambers, Public Libraries and Community Halls/Centres)**

As these areas are under the control of Constituent Councils, the notification of the application of pesticides to these areas will be contained in the Constituent Council's notification plans.

### **8. PESTICIDE USE ADJACENT TO SENSITIVE AREAS.**

Where there is a proposed application of a pesticide to a prescribed public place which is adjacent to a sensitive place, as defined by the Regulation, is at the request of a Constituent Council, the Upper Hunter County Council will follow the Constituent Council's notification plan.

Where the application of pesticides is in relation to the control of Noxious Plants declared under the Noxious Weeds Act 1993, Council will provide notice by:

- Notifying the occupiers of the declared sensitive place at least two weeks before the application of pesticides; and
- Where possible schedule the application at a time, which will minimise the likelihood of the occupiers of these sensitive places coming into contact with the pesticides i.e. during school holidays or weekends.

### **9. COMMUNITY NOTIFICATION REGISTER**

In addition to the notification methods outlined above, Council will establish a notification register of anyone who wishes to receive regular notification of Council's pesticides spray activities. Council will provide people on the register with the information outlined in section 10(below). Notice will be provided by an agreed method, one week prior to the pesticide application.

### **10. INFORMATION TO BE PROVIDED IN PUBLIC NOTIFICATIONS.**

All forms of notification proposed for the public areas outlined in the Plan (ie. signs, newspaper advertisements, flyers and letterbox drops) will contain the following information:

- The full name of the pesticide used as it is listed on the pesticide label;
- The purpose of the application, including the pest that is being treated;
- Date(s) on which the pesticide will be applied;
- Product specific warnings on the subsequent use of the land; and
- Contact details for Council and/or the pesticide operator.

### **11. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN**

If as a result of future reviews Council substantially varies this plan, Council will consult with the community on the draft Notification Plan, including the types of public places covered and the proposed notification methods. The draft Notification Plan will be placed on public display for four weeks at Constituent Council offices and the advertisement and notice advising of Council's Draft Management Plan will also include reference to the public display of Council's Draft Pesticides Notification Plan. This notice will be placed in the "Upper

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Hunter News” (Regional newspaper) advising that the Plan is available for public comment. A copy of the draft Plan will also be available on the Muswellbrook Shire Council’s website.

Council will consider all comments from the community prior to finalising the Plan.

Council will advise residents of the contents of the final Notification Plan by:

- A notice will be published in the NSW Government Gazette
- A copy of the Plan being made available for public viewing at Constituent Council’s offices;
- A copy of the Plan being placed on the Muswellbrook Shire Council website; and
- A notice of the finalisation of the Plan advertised in the regional newspaper “*The Upper Hunter News*”

### 12. FUTURE REVIEWS OF THIS PLAN

The Notification Plan will be reviewed every three years. The review will include:

- Report on progress of implementing the Notification Plan;
- Public consultation on the notification methods outlined in the Notification Plan; and
- Recommendation for alterations (if applicable) to the Notification Plan.
- If no substantial changes are need, posting of the updated plan on the Muswellbrook Shire Council website.

### 13. CONTACT

Anyone wishing to contact Council regarding the Notification Plan or to obtain details of specific details of pesticide applications in public places should contact:

Doug Campbell  
Works Co-ordinator  
Upper Hunter County Council  
PO Box 122  
MUSWELLBROOK NSW 2333  
Ph 02 65493802  
Fax: 02 65493701  
E-mail: [uhwa@muswellbrook.nsw.gov.au](mailto:uhwa@muswellbrook.nsw.gov.au)